

75-1-110. Cost of living adjustment of certain dollar amounts.

(1) In this section:

(a) "CPI" means the Consumer Price Index (Annual Average) for All Urban Consumers (CPI-U), U.S. City Average, reported by the Bureau of Labor Statistics, United States Department of Labor or its successor or, if the index is discontinued, an equivalent index reported by a federal authority. If no such index is reported, the term means the substitute index adopted by the Administrative Office of the Courts.

(b) "Reference base index" means the CPI for calendar year 2009.

(2) The dollar amounts stated in Subsection 75-2-202(2) and Sections 75-2-102, 75-2-402, 75-2-403, and 75-2-405 apply to the estate of a decedent who died in or after 2010, but for the estate of a decedent who died after 2011, these dollar amounts shall be increased or decreased if the CPI for the calendar year immediately preceding the year of death exceeds or is less than the reference base index. The amount of any increase or decrease is computed by multiplying each dollar amount by the percentage by which the CPI for the calendar year immediately preceding the year of death exceeds or is less than the reference base index. If any increase or decrease produced by the computation is not a multiple of \$100, the increase or decrease is rounded down, if an increase, or up, if a decrease, to the next multiple of \$100, but for the purpose of Section 75-2-405, the periodic installment amount is the lump sum amount divided by 12. If the CPI for 2009 is changed by the Bureau of Labor Statistics, the reference base index shall be revised using the rebasing factor reported by the Bureau of Labor Statistics, or other comparable data if a rebasing factor is not reported.

(3) Before February 1, 2011, and before February 1 of each succeeding year, the Administrative Office of the Courts shall publish a cumulative list, beginning with the dollar amounts effective for the estate of a decedent who died in 2011, of each dollar amount as increased or decreased under this section.

Enacted by Chapter 93, 2010 General Session